

**DARIEN AFFORDABLE HOUSING PLAN**  
**Proposed Chapter 4**  
**Land Use and Zoning Assessment**  
**First Draft**  
**March 31, 2022**

**Land Use and Zoning Assessment**

One of the many factors affecting housing supply and pricing is local zoning. This Chapter looks at the role zoning plays in Darien's housing, and some of the more recent changes that have been adopted by the Planning & Zoning Commission in order to increase housing stock and housing diversity.

**Darien's Historic Development patterns**

Zoning was first adopted in Darien in 1925. As noted in Chapter 2, Darien has traditionally had its higher density housing closest to the Noroton Heights and Darien train stations. Water and sewer service were also used as a guide for development. More recently, since the mid-1980s, a strong emphasis has been placed on increasing housing diversity and deed-restricted affordable housing.

**Zoning Changes in the 1980s and 1990s**

One of the most important zoning changes in the 200+ year history of Darien was the creation of the Designed Business and Residential (DBR) overlay zone, which allowed the construction of multi-family housing/condominiums. This quickly led to the development of five different condominium complexes: Villager Pond (37 units); Middlesex Commons (60 units); Sedgwick Village (22 units); Darien Close (21 units); and Pine Brook (20 units) within a ten year time frame in the 1980s. It created over 160 condominium units within in a relatively short period of time.



*Pine Brook condominiums*



*Villager Pond condominiums*

Soon thereafter, in the early 1990s, was the construction of Clock Hill Homes, a thirty unit moderate income owner-occupied project on Town-owned property. It is 30 units on 2.2 acres also within the DBR Zone, and walkable to downtown and the Darien Train Station.

**EXHIBIT 4-1**  
**CONDOMINIUM PROJECTS CONSTRUCTED 1980-1995**

<b><u>PROJECT NAME</u></b>	<b><u>LOCATION</u></b>	<b><u>NUMBER OF UNITS</u></b>	<b><u>SITE ACREAGE</u></b>	<b><u>ZONING DISTRICT</u></b>
<b><u>Condominiums</u></b>				
Pine Brook	<i>Old King's Hwy. North</i>	20	5.2	DBR/DB
Middlesex Commons	<i>Hale Lane</i>	60	10.5	DBR/DB
Villager Pond Includes 2 income-restricted units	<i>Boston Post Rd.</i>	37	4.4	DBR/DB
Sedgwick Village	<i>Old King's Hwy. North</i>	22	3.2	DBR/DB
Darien Close	<i>Old King's Hwy. North</i>	21	2.7	DBR/DB
<b><u>Town-owned projects</u></b>				
Clock Hill Homes (moderate-income condominium units)	<i>Gideon Lane</i>	30	2.2	DBR/DB

*Source: Darien Planning & Zoning Department, and 1995 Town Plan of Development.*

In the late 1990s, the Commission made modifications to the Service Business (SB) zone to allow assisted living facilities by Special Permit. That zoning change resulted in the redevelopment of 50 Ledge Road into Atria, an 86 unit assisting living facility. In subsequent years, other zoning amendments and Planning & Zoning Commission approvals resulted in the change from Mediplex to Maplewood at 599 Boston Post Road, and the redevelopment of an office building at 1 Parklands to the Residence at Selleck's Woods.

**Zoning Changes 2000-2020**

The 2000s have brought with it a strong focus on deed-restricted affordable housing. Other focuses have included mixed-use and “transit oriented development”—i.e. Development near the two train stations in Town. This reinforces Darien’s long-time emphasis on higher densities in the transit-accessible areas.

In 2004, the Grove Street Plaza project was constructed in the CBD Zone, after the Commission changed the zoning designation of a number of small parcels on the north side of Grove Street in downtown Darien. This project consisted of two mixed use buildings. The upper floors on each of the buildings have residential apartments of various sizes—a total of 10 in all. As noted in the 1995 Town Plan, apartments in downtown may provide “desirable housing alternatives for childless households, both young and old, who may work in the business area or who desire the convenience which such a location offers. It also has the advantage of introducing a night-time population that add to the security as well as the variety of life in the business areas.”



Grove Street Plaza (apartments on upper floors)

In 2007, the Commission created a new zoning district—the DCR Zone, which rezoned the Procaccini property off of Hoyt Street/Wakemore Street. This allowed the property to be redeveloped into 62 market-rate condominiums, called Kensett. A subsequent zoning map change in 2015 rezoned adjacent properties from single-family to DCR allowed for Kensett Phase 2, which added 14 more market-rate condominiums and the creation of three deed-restricted affordable units at 269 Hoyt Street.

In 2009, the Darien Housing Authority was seeking to redevelop the Allen O'Neill property on Noroton Avenue/Elm Street. The single-family cape-style homes and apartment building were redeveloped into four-plexes. The property was rezoned from R-1/3 (single-family residential) to DMR (Designed Multi-family residential) for The Heights at Darien. Via the zone change and the Commission's subsequent site plan and special permit approval, the density changed from 53 units to 106 units.

The Commission believed that an increase in allowable density was appropriate when they created the Noroton Heights Redevelopment Zone. This would allow for mixed-use development at a higher density than historically allowed across the street from the Noroton Heights Train Station. Since that time, redevelopment projects have been underway, with the Federal Realty project starting to lease out rental apartments starting in July 2022.

In 2016, the Commission placed the Municipal Use (MU) floating zone over the property at 701-719 Boston Post Road to accommodate the redevelopment of Old Town Hall Homes into The Royle at Darien. The number of units on that property was increased from 30 to 55. This is the second Darien Housing Authority property to be redeveloped.



The Royle at Darien

Another significant zoning change was the establishment of the CBD-CS zone--the Corbin Subarea within the CBD zone. This is an area which is 2-3 blocks from the Darien Train Station in Darien's downtown. This change in the Regulations and the subsequent special permit and site plan approvals allowed for an increase in building height and will result in the creation of over 100 multi-family units on upper floors in a number of different buildings. Related to that project, in 2018 the Commission created the Special Needs (SN) Overlay Zone and applied it to 26 East Lane (Section 450 of the Regulations). This allowed for the establishment of 12 deed-restricted affordable units for developmentally and intellectually disabled young adults. These units will serve as most of the inclusionary zoning requirement for the Corbin District project.

### **Inclusionary Zoning**

A zoning regulation amendment which led to the creation of deed-restricted affordable units was the creation of Section 580 of the Zoning Regulations—Inclusionary Zoning. This regulation was first adopted in 2009, and has been amended many times since then, including in: 2010, 2011, 2012, 2016, 2017, and 2021. As it currently reads, the inclusionary zoning regulation requires the creation of 14% of the total number of dwelling units for each five units created. Those units must be set as deed-restricted affordable for those making 80% of State Median Income (SMI) or less. A fee in-lieu provision also exists within the regulation. Darien is one of the few communities in the State of Connecticut to have inclusionary zoning (which is specifically authorized under CG 8-2i). In Darien, that has specifically created the following units shown in the chart below.

**EXHIBIT 4-2  
INCLUSIONARY UNITS IN DARIEN**

<b><u>PROJECT NAME</u></b>	<b><u>LOCATION</u></b>	<b><u>NUMBER OF UNITS</u></b>	<b><u>ZONING DISTRICT</u></b>
Kensett Phase II	Hoyt Street	3	DCR
Knobel Hill	Settler's Trail/ 67-69 Leroy Avenue	2	
	1897 Boston Post Road	1	NB
Corbin District/ Penny's Place	26 East Lane/ Boston Post Road	14	
Federal Realty	Heights Road	12?	NHR
	3 Parklands Drive	8	DOMR
Noroton Heights Shopping Ctr.	Heights Road	6?	NHR

*Note: 3 Parklands Drive is approved, not yet constructed.*

*Source: Darien Planning & Zoning Department.*

**Zoning Changes 2020-present**

As the Town of Darien has made meaningful strides in diversifying its housing stock and creating affordable housing, housing advocates and legislators at the State level have put increased pressure on municipalities throughout the entire State to address housing supply and housing affordability. A bill passed in the legislature, Public Act 21-29, included a number of provisions and requirements.

First, was to require communities to eliminate minimum apartment size standards in their zoning regulations. The Darien Planning & Zoning Commission accomplished this in August and November 2021, eliminating the minimums in the DBR, DMR, 3.7AH and LW zones. (Although of note, in 2009 the Commission did approve the Garden Homes 8-30g project which contained units as small as 400 square feet). Second, Public Act 21-29 also required communities to establish certain parking standards for multi-family housing, or formally opt-out of that requirement. The Commission did opt-out, but did greatly reduce the requirements for multi-family housing, which was 2 ½ spaces per unit, but has been reduced in Section 904 of the Zoning Regulations to be 1 space per each studio unit; 1.5 spaces for each 1-bedroom unit; 2 spaces for each 2-bedroom unit; and 2.5 spaces for each 3+ bedroom unit.

Third, the Commission must decide how to address accessory dwelling units (ADUs). Public Act 21-29 requires Commissions to either incorporate the standards created in the bill, or opt-out. A decision will be made by the Commission sometime in 2022.

Also in August 2021, a noteworthy zoning change was made. This was to create a new Designed Office Multi-family Residential Overlay Zone (Section 460 of the Zoning Regulations). This overlay zone allows multi-family dwellings by Special Permit in the Designed Office zones of Darien. In early 2022, the overlay district was “landed” on the 3 Parklands Drive property, and subsequently, a 60 unit apartment building was approved by the Commission. Other Designed Office (DO) property owners can also apply to the Commission to seek approvals to “land” that overlay zone.

### **Summary**

As one can see from the above, The Planning & Zoning Commission has had great success in changing the zoning map and regulations through the years to diversify its housing stock, and to create deed-restricted affordable housing. An example of the progress made can be found not only on the constructed projects mentioned in this Chapter, but also in the two moratoria achieved—one in 2010 and the other in 2016. Those are referenced elsewhere in this document, and reflect a success in developing affordable housing within Darien in recent years.

Last updated: March 31, 2022

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